

E-filed 2/5/07

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7 Attorneys for Plaintiff and Counter-Defendant
8 ACTICON TECHNOLOGIES LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA (SAN JOSE DIVISION)

ACTICON TECHNOLOGIES LLC.

Plaintiff,

V.

PRETEC ELECTRONICS CORP., a California corporation; C-ONE TECHNOLOGY CORPORATION, a foreign corporation; CNET TECHNOLOGY CORP., a California corporation; CNET TECHNOLOGY, INC., a foreign corporation; and MACE GROUP, INC., d/b/a MACALLY PERIPHERALS, INC., a California corporation, and MARGI SYSTEMS, INC., a California corporation,

Defendants.

CASE NO. C 06 4679 JF (HRL)

**STIPULATION AND [PROPOSED]
ORDER FOR DISMISSAL OF
DEFENDANT MARGI SYSTEMS, INC.**

AND RELATED COUNTERCLAIMS.

Plaintiff and Counter-Defendant ACTICON TECHNOLOGIES LLC and Defendant and Counter-Claimant MARGI SYSTEMS, INC. (“Margi”) hereby stipulate to a dismissal with prejudice of the Complaint, with respect to Defendant MARGI only, and the MARGI Counterclaim, pursuant to the provisions of Fed. R. Civ. P. 41(a)(2). The parties further agree to bear their own

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1 attorneys' fees and costs of suit incurred herein.

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3 IT IS SO STIPULATED.

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5 Dated: January 31, 2007

CARR & FERRELL LLP

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7 By: /s/ Christine S. Watson

ROBERT J. YORIO
COLBY B. SPRINGER
CHRISTINE S. WATSON

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10 Attorneys for Plaintiff and Counter-Defendant
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12 ACTICON TECHNOLOGIES LLC

Dated: January 31, 2007

BRINKS HOFER GILSON & LIONEE

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14 By: /s/ Janet Pioli

JANET PIOLI

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16 Attorneys for Defendant and Counter-Claimant
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18 MARGI SYSTEMS, INC.

ORDER

19 Based on the parties' stipulation and for good cause shown, the Complaint is dismissed with
20 prejudice against Defendant MARGI SYSTEMS, INC. and the Counterclaim of MARGI
21 SYSTEMS, INC. is dismissed in its entirety. The parties are to bear their own attorneys' fees and
22 costs of suit incurred herein.

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24 IT IS SO ORDERED.

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26 Dated: 2/5, 2007

By: _____

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28 HON. JEREMY FOGEL
UNITED STATES DISTRICT JUDGE